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12 BANK OF AMERICA, N.A.

13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION  
17

18 CALIFORNIA PACIFIC BANK, a California  
banking corporation,

19 Plaintiff,

20 vs.

21 BANK OF AMERICA, N.A., and DOES 1-20,  
22 inclusive,

23 Defendants.

Case No.: C07-03330 JCS

**JOINT STATUS REPORT**

Date: September 5, 2008

Time: 1:30 a.m.

Room: A, 15th Floor

Judge: Joseph C. Spero

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25 BANK OF AMERICA, N.A. and CALIFORNIA PACIFIC BANK, through undersigned  
26 counsel hereby submit the following Joint Status Report.

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**Summary of the Status of Florida Case No. 522007CA005147XXCICI**

***(Bullard Electronics, LLC v. Bank of America, N.A., and California Pacific Bank)***

On August 25, 2008, Bullard Electronics filed a "Notice of Dropping California Pacific Bank As A Party Defendant." That same day, Bullard also filed an "Unopposed Motion for Final Judgment, For Permanent Injunction & For Discharge of Bond."

On August 26, 2008, Bank of America, N.A. filed a "Notice of Voluntary Dismissal of Counterclaim." (The Court will recall that Bank of America filed a counterclaim against Bullard Electronic, LLC, and NBG, LLC, and a separate cross-claim for declaratory relief against California Pacific Bank.)

On August 27, 2008, Bank of America, N.A. delivered a "vouching-in" letter to California Pacific Bank and its attorneys, in which Bank of America, N.A. (1) notified California Pacific Bank of Bullard Electronics, LLC's filing of the aforesaid motion for final judgment, and (2) demanded that California Pacific Bank participate in the opposition of that motion.

**Summary of the Settlement Conference**

Bank of America and California Pacific Bank participated in a settlement conference with the Hon. Edward M. Chen on August 28, 2008.

The parties were unable to resolve this matter, and no further settlement conference was scheduled.

**Proposed Schedule**

- A. RULE 26(a) DISCLOSURES: October 3, 2008
- B. EXPERT WITNESS DISCLOSURES: December 5, 2008.
- D. DISCOVERY CUT-OFF DATE: January 30, 2009.
- C. LAW AND MOTION CUT-OFF DATE: March 31, 2009.
- E. FINAL PRETRIAL CONFERENCE DATE: April 20, 2009.
- F. TRIAL DATE: May 4, 2009.

1 DATED: August 29, 2008

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6 By: /s/ J. Randolph Liebler  
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7 Florida Bar No. 507954  
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8 Florida Bar No. 796751

10 DATED: August 29, 2008

SEVERSON & WERSON  
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12 By: /s/ Mark I. Wraight  
Mark I. Wraight  
13 Attorneys for Defendant  
BANK OF AMERICA, N.A.

15 DATED: August 29, 2008

NIVEN & SMITH

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CALIFORNIA PACIFIC BANK